

**COPY**  
Original Received  
APR 01 2014  
Clerk of the Trial Courts

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

TUSI FROST,

Plaintiff,

vs.

WAL-MART STORES, INC., d/b/a  
WAL-MART,

Defendant.

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APR 01 2014

Clerk of the Trial Courts

) Case No. 3AN-1405980 CI

COMPLAINT

COMES NOW, the plaintiff, TUSI FROST, by and through her attorney,  
CHARLES W. COE, to state and allege the following as her cause of action:

I

Plaintiff, TUSI FROST, is a resident of Alaska, residing in the Third Judicial  
District.

II

Defendant, WAL-MART STORES, INC., is an out of state corporation,  
doing business at various locations throughout the state of Alaska and is authorized  
to do business as a corporation in the state of Alaska.

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EXHIBIT B

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III

Defendant is the owner and operator of the store located on A Street in Anchorage, Alaska. Defendant, as a corporation and owner/operator of this store, is vicariously liable for the acts and omissions of their employees, agents, and representatives under the theories of respondeat superior, negligent supervision, negligence, and negligent entrustment.

IV

All events relevant to the cause of action of this complaint occurred in the state of Alaska, at Anchorage.

V

On or about August 10, 2012, plaintiff was walking in an aisle near the pharmacy department of defendant's store. As she was walking, she slipped and fell on a dark liquid on the floor. As a result of slipping and falling on the floor she incurred injuries and damages set out in paragraph XII of this complaint.

VI

The area where plaintiff fell was to be cleaned, monitored, and maintained by defendant's employees and representatives. The defendant's employees, agents, and representatives failed to monitor, clean, and maintain this area, which created a hazard to customers using their store.

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FIRST CAUSE OF ACTION

VII

Plaintiff hereby realleges and incorporates paragraphs I through VI of this complaint into this First Cause of Action.

VIII

Defendant owed a duty to keep its aisles and floors in a safe condition free from hazards and to warn users of this area of potential hazards. Defendant breached this duty in failing to clean their aisles and floor, in failing to properly insure that this section of the store was kept clear of hazards, in failing to inspect monitor, maintain, and correct this safety hazard, and in not cleaning the walking area where plaintiff slipped.

IX

As a result of the defendant's negligence the plaintiff incurred the damages and injuries set forth in paragraph XII of this complaint.

SECOND CAUSE OF ACTION

X

Plaintiff hereby realleges and incorporates paragraphs I through IX of this complaint into this Second Cause of Action.

XI

Defendant was negligent per se in that its acts and omissions violated its own standards of maintenance and monitoring their store. As a result of this negligence per se, plaintiff incurred injuries set forth in paragraph XII of this complaint.

XII

As a direct and proximate result of defendant's acts and omissions the plaintiff suffered the following injuries and damages:

1. Injuries to her back, neck, and knees;
2. Medical and medication expenses in the past, present, and future;
3. Past, present, and future physical and emotional pain and suffering;
4. Loss of enjoyment of life; and
5. Other damages to be proven at trial.

WHEREFORE, plaintiff prays for judgment in her favor against the defendant for the following:

- a. Compensatory damages to be proven at trial in a sum within the jurisdiction of the superior court;
  - b. For pre-judgment and post-judgment interest, costs, and attorney fees;
- and
- c. For any other relief this court deems just and equitable.

DATED this 31<sup>st</sup> day of March, 2014.

CHARLES W. COE  
Attorney for Plaintiff

A handwritten signature in cursive script, appearing to read "Charles W. Coe", written over a horizontal line.

Charles W. Coe  
ABA#7804002

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